

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BRUCE A. BLAKEMAN, in his capacity as County Executive of the County of Nassau, COUNTY OF NASSAU, MARC MULLEN as parent and natural guardian of K.E.M., an infant under the age of eighteen years, and JEANINE MULLEN, as parent and natural guardian of K.E.M., an infant under the age of eighteen years,

No. 2:24-cv-01655

Plaintiffs,

-against-

LETITIA JAMES, as Attorney General of the State of New York, STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL, and STATE OF NEW YORK,

Defendants.

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss dated March 28, 2024, and upon all prior pleadings and proceedings herein, Defendants, Letitia James, sued in her official capacity as Attorney General of the State of New York, the Office of the New York State Attorney General, and the State of New York, will move this Court, before the Honorable Nusrat Choudhury, United States District Judge, at the United States Courthouse located at 100 Federal Plaza, Central Islip, New York 11722, on a date and time to be determined by the Court, for an order, pursuant to the Eleventh Amendment to the United States Constitution, and Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing, in their entirety and with prejudice, all claims and requests for relief asserted in the Complaint dated March 5, 2024, together with such other and further relief as the Court deems just and proper.

In accordance with the parties' agreement reached and presented to the Court at the conference held on March 12, 2024, and the Court's Minute Entry and Scheduling Order dated March 13, 2024, Plaintiffs' opposition, if any, to this motion must be filed on or before April 29, 2024.

Dated: New York, New York
March 28, 2024

LETITIA JAMES
Attorney General of the State of New York

By: /s/ Zoe Ridolfi-Starr

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